

THE LAW FIRM OF
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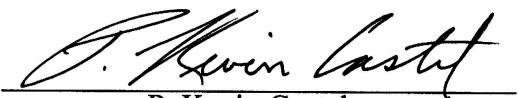
May 20, 2021

VIA ECF

Hon. P. Kevin Castel, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Application for a stay is DENIED without prejudice to legal support for the proposition that a supersedeus bond is appropriate in this case. It does not appear that City View is appealing the judgment. It is appealing the Court's denial of an order vacating the judgment.

SO ORDERED.
5/21/2021



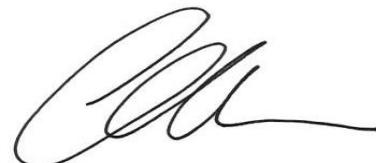
P. Kevin Castel
United States District Judge

**RE: Trustees of The New York City District Council of
Abalene Decorating, Inc. et al.
Docket No.: 20-cv-2559 (PKC)**

Your Honor:

This law firm represents Defendant City View Blinds of N.Y., Inc. ("City View") in the above referenced matter. We write to request that this Court approve the supersedeus bond filed by City View on May 19, 2021 (copy of filing attached) to affect an automatic stay of all enforcement proceedings and order the release of City View's funds being currently held by its bank, Signature Bank, and customer, Suffolk Construction, pursuant to Fed.R.Civ.P. Rule 62(b). As the Court will see, the bond represents 110% of the amount of the underlying judgment of \$92,589.86, which is \$101,848.84.

Respectfully submitted,



Adam C. Weiss

cc: All Counsel of Record (via ECF)

Encl.

ORIGINAL

Bond No. 1001072895

SUPERSEDEAS BOND

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NEW YORK CITY DISTRICT
COUNCIL OF CARPENTERS PENSION FUND,
WELFARE FUND, ANNUITY FUND, and
APPRENTICESHIP, JOURNEYMAN RETRAINING,
EDUCATIONAL AND INDUSTRY FUND, TRUSTEES
OF THE NEW YORK CITY CARPENTERS RELIEF
AND CHARITY FUND, and THE CARPENTER
CONTRACTOR ALLIANCE OF METROPOLITAN
NEW YORK,

Docket No:
20-ev-02559 (PKC)

Plaintiffs,

-against-

ABALENE DECORATING, INC. and CITY VIEW
BLINDS OF N.Y., INC.,

Defendants.

WHEREAS, Defendant, City View Blinds of N.Y., Inc., have prosecuted an appeal to the United States Court of Appeals for the Second Circuit from each and every part of the Opinion & Order filed April 13, 2021, against the defendant, City View Blinds of N.Y., Inc., and in favor of the Plaintiffs in the amount of NINETY-TWO THOUSAND FIVE HUNDRED EIGHTY-NINE AND 86/100 (\$92,589.86) Dollars.

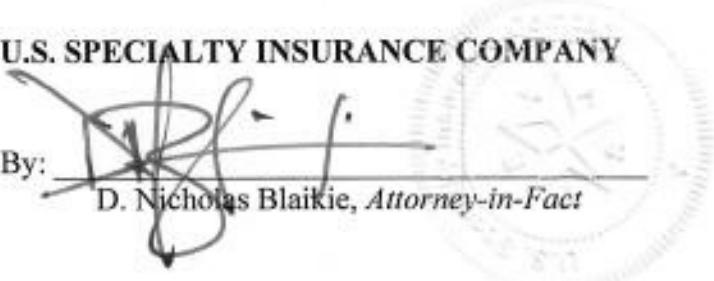
NOW, THEREFORE, the U.S. Specialty Insurance Company, having an office and principal place of business for the State of New York, at 600 Lexington Avenue, New York, New York 10022, does hereby undertake the sum of ONE HUNDRED ONE THOUSAND EIGHT HUNDRED FORTY-EIGHT AND 84/100 (\$101,848.84) Dollars, that if the above named Defendant, shall satisfy the Opinion and Order herein in full together with the costs, interest and damages for delay, or if for any reason the appeal is dismissed or if the Opinion & Order is affirmed, and shall satisfy in full such modification of the Opinion & Order and such costs, interest and damages the Appellate Court may adjudge and award, then this obligation shall be void, otherwise the same shall be and remain in full force and effect

DATED, May 19, 2021

U.S. SPECIALTY INSURANCE COMPANY

By:

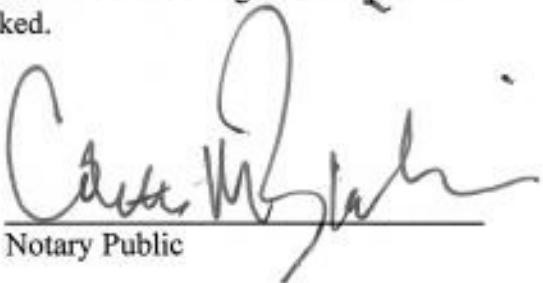
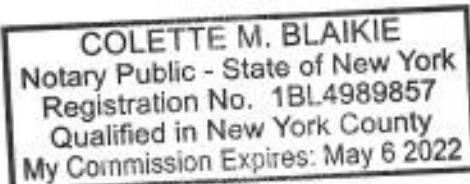
D. Nicholas Blaikie, Attorney-in-Fact



ACKNOWLEDGEMENT OF SURETY

STATE OF NEW YORK COUNTY OF NEW YORK

On the 19th day of May in the year 2021, before me personally came D. Nicholas Blaikie to me known, who being by me duly sworn, did depose and say that he resides at 600 Lexington Avenue, New York, N.Y., 10022, that he is the Attorney-in-Fact of U.S. Specialty Insurance Company, the corporation described in and which executed the above instrument; that he knows the corporate seal of said corporation, that the seal affixed to such instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and, that he signed his name thereto by like order; and that said corporation is duly authorized to transact business in the State of New York in pursuance of the statutes of such case made and provided, that the Superintendent of insurance of the State of New York, has pursuant to Chapter 28 of the Consolidated Laws of the State of New York, known as the Insurance Law, issued to U.S. Specialty Insurance Company, A Certificate of Solvency and qualification to become surety or guarantor on all bonds, undertakings, recognizances, guaranties and other obligations required or permitted by law and that such certificate has not been revoked.



Colette M. Blaikie
Notary Public

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**U.S. SPECIALTY INSURANCE COMPANY
STATUTORY STATEMENT OF ADMITTED ASSETS,
LIABILITIES, CAPITAL AND SURPLUS (1)
December 31, 2020**

Admitted Assets

Investments:	
Fixed Maturities, at amortized cost	1,567,861,802
Prefixed Stocks	8,890,920
Common stocks	6,329,146
Mortgage loans on real estate - first liens	124,090,644
Mortgage loans on real estate - other than first liens	4,092,503
Cash and short term investments	117,435,752
Receivable for securities	75,852
Total cash and invested assets:	<u>1,828,786,714</u>

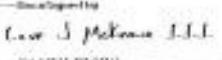
Liabilities and Capital and Surplus

Liabilities:	
Unpaid loss and loss adjustment expenses	1,054,340,676
Reinsurance payable on paid losses and loss adjustment expenses	72,334,666
Commission payable	8,285,486
Accrued expenses	12,452,621
Taxes, licenses, and fees	3,383,693
Current federal and foreign income taxes	6,066,760
Unearned premiums	340,702,020
Advance premium	8,029,026
Dividends to policyholders	392,106
Ceded reinsurance balance payable	100,431,734
Funds held under reinsurance treaties	2,239,449
Amounts withheld or retained for others	3,004,420
Provision for nonadmitted	18,597,600
Payable to parent, subsidiaries and affiliates	46,568,049
Payable for securities	50,000
Total liabilities	<u>1,677,759,325</u>
Capital and Surplus:	
Capital Stock	4,200,000
Additional paid-in and contributed capital	190,085,811
Unassigned surplus	330,653,831
Total liabilities and capital and surplus:	<u>2,202,696,967</u>

(1) - In accordance with the statutory financial statements as filed on March 1, 2021.

I, Cave J. McKeown III, Chief Financial Officer of U.S. Specialty Insurance Company, hereby certify that to the best of my knowledge and belief, the foregoing is a full and true Statutory Statement of Admitted Assets, Liabilities and Capital and Surplus of the Company as of December 31, 2020, prepared in conformity with accounting practices prescribed or permitted by the Texas Department of Insurance. The foregoing statement should not be taken as a complete statement of financial condition of the Company. Such a statement is available upon written request at the Company's home office located at 13403 Northwest Freeway, Houston, Texas 77040.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Corporation at Houston, Texas.

DocuSigned by

Cave J. McKeown III
Vice President & Chief Financial Officer



CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK INSURANCE LAW

STATE OF NEW YORK
DEPARTMENT OF FINANCIAL SERVICES

It is hereby certified that

**U.S. Specialty Insurance Company
Of Houston, Texas**

a corporation organized under the laws of the State of Texas and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$576,205,391(Capital \$4,200,00) as is shown by its sworn financial statement for the third quarter ending September 30, 2019, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have
unto set my hand and affixed
official seal of this Department
in the City of Albany, this
22nd day of January 2020
Linda A. Lacewell
Superintendent

By

A handwritten signature in black ink, appearing to read "Erj".

Ellen R Buxbaum
Special Deputy Superintendent